

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ROYCE D. SHYE,)	
)	
Plaintiff,)	
)	No. 2:14-cv-00007
v.)	
)	Judge Sharp
W.B. MELTON, et al.)	Magistrate Judge Bryant
)	
Defendants.)	

ORDER

Plaintiff Royce D. Shye, an inmate at Overton County Jail (OCJ) proceeding pro se, has filed a civil rights complaint pursuant to 42 U.S.C. § 1983. He alleges that inmates being held in protective custody are not safe. In addition, Plaintiff claims that he was denied a legal envelope in violation of his right of access to the courts; that he has been denied medical attention because of his race; that he is not receiving an adequate diet; and that disciplinary procedures at the Jail are inadequate.

Magistrate Judge Bryant has entered a Report and Recommendation (“R & R”) (Docket No. 44), recommending that Defendants’ unopposed Motion for Summary Judgment (Docket No. 29) be granted, that this case be dismissed with prejudice, that this dismissal count as a strike under the Prison Litigation Reform Act, and that any appeal not be certified as taken in good faith. Despite being advised in the R & R that any objections needed to be filed within fourteen days of service, Plaintiff has filed none.

Having undertaken the de novo review required by Rule 72(b) of the Federal Rules of Civil Procedure, and having considered the record as a whole, the Court agrees with the recommended disposition. Accordingly, the Court rules as follows:

(1) The Report and Recommendation (Docket No. 44) is hereby ACCEPTED and APPROVED;

(2) Defendants' Motion for Summary Judgment (Docket No. 29) is hereby GRANTED;


(3) This case is hereby DISMISSED WITH PREJUDICE;

(4) This dismissal shall count as a STRIKE under 28 U.S.C. § 1915(g); and

(4) In accordance with 28 U.S.C. § 1915(a)(3), any appeal of this decision would not be taken in good faith.

The Clerk of the Court shall judgment on a separate document in accordance with Rule 58 of the Federal Rules of Civil Procedure.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE